THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17326 of 2006

Dated: 30-08-2006

Between:

Dereddy Pedda Subba Reddy and five others.

..... PETITIONERS

AND

The State of Andhra Pradesh,
rep. by the Secretary (Revenue), Hyderabad, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.17326 of 2006

ORDER:

The petitioners intending to purchase the land in survey No.44/1 admeasuring Acs.13.17 guntas situated at Maktha Mahaboobpet Village, Serilingampalli Mandal, Ranga Reddy District, from the original owners and pattadars, namely, Dastagiri Begum and others presented a sale deed for registration on 27-02-2006 before the second respondent, who though initially collected stamp duty and registration charges, subsequently informed them that in view of issuance of a notification vide G.O.Ms.No.260 dated 16-03-2004 by the Government in purported exercise of power under Section 22-A of the Registration Act, 1908 (the Registration Act, for brevity) as amended by the Registration (Andhra Pradesh Amendment) Act, 1999, the sale deed presented by them cannot be registered and kept the document pending. Hence, the present writ petition is filed.

It is brought to the notice that this Court by order dated 22-06-2006, while allowing W.P.No.24665 of 2004, has already quashed G.O.Ms.No.260 dated 16-03-2004.

Following the same, this writ petition is disposed of directing the second respondent or any other Registering Officer to accept the document presented by the petitioners and to consider the same for registration. Be it noted, if for any reason, the document is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Registration Act. As it is claimed that the subject land is Government poramboke land, it is open to the Government to take appropriate steps in accordance with law. No costs.

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V.V.S.RAO, J

30th August, 2006

Note: Issue CC by 04-09-2006.

B/o

ghn